
By: **Delegates Boteler, Redmer, Conroy, DeBoy, Frank, Harrison, Kach, and Myers**

Introduced and read first time: February 7, 2003

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Commercial Law - Expiration of Gift Certificates - Prohibition**

3 FOR the purpose of prohibiting a gift certificate from expiring before redemption for
4 the complete face value of the gift certificate; providing a certain exception;
5 defining a term; providing for the construction and application of this Act; and
6 generally relating to the expiration of gift certificates.

7 BY adding to
8 Article - Commercial Law
9 Section 14-1319
10 Annotated Code of Maryland
11 (2000 Replacement Volume and 2002 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Commercial Law**

15 14-1319.

16 (A) IN THIS SECTION, "GIFT CERTIFICATE" INCLUDES A GIFT CARD OR OTHER
17 DOCUMENT OR DEVICE WITH AN INTENDED CASH VALUE TO EVIDENCE A GIFT FROM
18 THE PURCHASER TO A THIRD PARTY USABLE ON ITS FACE AMOUNT IN EXCHANGE
19 FOR GOODS OR SERVICES.

20 (B) A GIFT CERTIFICATE, GIFT CARD, OR OTHER SIMILAR DEVICE ISSUED TO A
21 PURCHASER MAY NOT EXPIRE PRIOR TO ITS USE.

22 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
23 GIFT CERTIFICATE, GIFT CARD, OR SIMILAR DEVICE DONATED TO AN INDIVIDUAL
24 MAY BE SUBJECT TO AN EXPIRATION AS DETERMINED BY THE DONOR.

25 (2) (I) THE EXPIRATION DATE FOR A DONATED GIFT CERTIFICATE,
26 GIFT CARD, OR SIMILAR DEVICE SHALL BE IMPRINTED ON THE GIFT CERTIFICATE,
27 GIFT CARD, OR DEVICE; OR

1 (II) THE DONOR SHALL GIVE THE RECIPIENT OF THE GIFT
2 CERTIFICATE, GIFT CARD, OR DEVICE WRITTEN NOTICE OF THE EXPIRATION DATE.

3 SECTION 2. AND BE IT FURTHER ENACTED, That a presently existing
4 obligation or contract right may not be impaired in any way by this Act.

5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be
6 construed to apply only prospectively and may not be applied or interpreted to have
7 any effect on or application to any gift certificate issued before the effective date of
8 this Act.

9 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2003.